

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion to Conduct a Comprehensive Examination of Investor Owned Electric Utilities' Residential Rate Structures, the Transition to Time Varying and Dynamic Rates, and Other Statutory Obligations.

Rulemaking 12-06-013
(Filed June 21, 2012)

**DECISION GRANTING COMPENSATION TO CENTER FOR
ACCESSIBLE TECHNOLOGY FOR SUBSTANTIAL CONTRIBUTION
TO DECISION 15-07-001**

Intervenor: Center for Accessible Technology (CforAT)	For contribution to Decision (D.) 15-07-001
Claimed: \$356,678.34	Awarded: \$318,476.91 (~10.71 % reduction)
Assigned Commissioner: Michael Picker	Assigned Administrative Law Judge (ALJ): Julie M. Halligan

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	This Decision charts a course for residential rate reform for electricity, including changes in the tiered rate structure and movement toward default time-of-use rates
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	Initial PHC: October 24, 2012 Additional PHCs have been held, but were not relevant to eligibility for compensation.	Verified.
2. Other specified date for Notice of Intent (NOI):	N/A	
3. Date NOI filed:	November 26, 2012	Verified.
4. Was the NOI timely filed?	Yes, Center for Accessible Technology (CforAT) timely filed the notice of intent since November 23, 2012 was a state holiday, allowing the notice to be filed on the next date the Commission offices were open – Monday, November 26, 2012. <i>See</i> Rules of Practice and Procedure, Rule 1.15	

PROPOSED DECISION

Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	Rulemaking (R.).12-06-013	Verified.
6. Date of ALJ ruling:	2/25/13	Verified.
7. Based on another California Public Utilities Commission (Commission) determination (specify):	N/A	
8. Has the Intervenor demonstrated customer or customer-related status?		Yes, CforAT demonstrated appropriate status.
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	R.12-06-013	Verified.
10. Date of ALJ ruling:	2/25/13	Verified.
11. Based on another Commission determination (specify):	N/A	
12. Has the Intervenor demonstrated significant financial hardship?		Yes, CforAT demonstrated significant financial hardship.

Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.15-07-001	Verified.
14. Date of issuance of Final Order or Decision:	July 13, 2015	Verified.
15. File date of compensation request:	September 9, 2015	Verified.
16. Was the request for compensation timely?	Yes, CforAT timely filed the request for compensation.	

C. Additional Comments on Part I (use line reference # as appropriate):

#	Intervenor's Comment(s)	CPUC Discussion
	In addition to the Ruling issued in 2013 concerning CforAT's customer status and showing of financial hardship, the Commission reaffirmed our eligibility in D.15-03-013, its decision awarding CforAT compensation for work in Phase 2 of this proceeding.	Verified.

PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision**
(*see* § 1802(i), § 1803(a), and D.98-04-059).

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>Throughout this proceeding, CforAT was the leading intervenor focused on affordability of essential supplies of electricity for vulnerable customers, including our constituency of customers with disabilities as well as all other low-income, low-usage and otherwise vulnerable utility customers.</p> <p>This need to ensure affordability was adopted as the first principle of rate design and was given substantial attention at</p>	<p><i>See</i> the following documents filed by CforAT addressing affordability and focusing on protecting vulnerable customers:</p> <ul style="list-style-type: none"> • Comments on Joint Ruling, filed with the Greenlining Institute (Greenlining) on 10/5/12 (addressing affordability as a key goal of rate design) • Motion to Adjust Schedule (to allow parties to reference the 2013 Low Income Needs Assessment), filed with Greenlining on 12/26/12 • CforAT/Greenlining's Joint Rate Design Proposal, filed 	<p>Verified.</p> <p>As noted in the decision awarding intervenor compensation to Greenlining in this proceeding, in the joint-filings between CforAT and Greenling, we recognize that CforAT took a more active role in developing the issues. <i>See also</i> Part II.B., <i>below</i>.</p>

<p>every stage of the proceeding.</p>	<p>on 5/29/13</p> <ul style="list-style-type: none"> • Testimony and Reply Testimony of Henry J. Contreras, accepted into the record at hearing as Exhibit CforAT-101 and CforAT-102, respectively • CforAT's Opening and Reply Briefs, filed on 1/5/15 and 1/26/15, respectively • CforAT's Opening and Reply Comments on the Proposed Decision (PD), filed on 5/11/15 and 5/18/15, respectively • CforAT's Opening and Reply Comments on the Alternate Proposed Decision (Alternate), filed on 6/11/15 and 6/16/15, respectively <p>While D.15-07-001 (the Final Decision) does not always cite to CforAT's filings in its discussions on affordability and the impact of the decision on vulnerable customers, CforAT's input throughout the duration of the proceeding strongly influenced the analysis of affordability, energy burden, and impact of changes in rate design on vulnerable customer groups. Many of the instances in which the PD did cite to CforAT are discussed below.</p>	
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<p>CforAT (in conjunction with Greenlining) proffered and consistently advocated for adoption of a rate proposal that prioritized affordability, and included a high-usage surcharge (set at levels previously defined as high in the proceedings governing the CARE program). Such a surcharge was adopted in the final decision as the Super-User Electric Surcharge (SUE Surcharge).</p>	<p>The SUE Surcharge is addressed in the Final Decision at 121-128. CforAT, in conjunction with Greenlining, proposed a high-usage surcharge in our Joint Rate Design Proposal at 48-55 (with additional clarification provided in CforAT's Corrections to Staff Proposal for Residential Rate Reform, filed in conjunction with Greenlining on 1/31/14), ensured that the surcharge was part of the record at the evidentiary hearing through the testimony of Henry J. Contreras, Exhibit CforAT-101 at para. 55, and then incorporated this proposal in briefing. CforAT Opening Brief at 85-88.</p> <p>CforAT further defended the inclusion of this proposal when SCE moved to strike it from the record (see CforAT Response to SCE Motion to Strike, filed on 2/9/15, at p. 14), and advocated for its adoption at multiple all-party meetings and <i>ex parte</i> meetings as the only mechanism in the record to mitigate the result that tier-flattening would have in substantially reducing the bills of the customers with the highest levels of usage at the expense of low-income and low-usage customers.</p>	<p>Verified.</p>
<p>CforAT consistently argued that the Commission must take</p>	<p>See e.g. Motion to Adjust Schedule, filed on 12/26/12.</p> <p>Data from the Low Income Needs</p>	<p>Verified.</p> <p>The Decision notes, however, that "[t]he</p>

into consideration data being collected for the 2013 LINA to effectively consider the impact of proposed changes to rate design on vulnerable customers.	<p>Assessment LINA was included with the Testimony of Henry J. Contreras (Ex. CforAT-101 at para. 34), and addressed in CforAT's Opening Brief at 27-36.</p> <p>The Final Decision noted CforAT's reference to the LINA benchmark of 5% as establishing a "high energy burden;" while declining to adopt this rate as a threshold for affordability, it was used "as a guideline for examining the impacts of rate reform on the affordability of energy." Final Decision at 266.</p>	design proposed by CforAT would not meet all the legal requirements and Rate Design Principles." See D.15-07-001 at 266.
CforAT proffered detailed testimony focused on affordability, including data from the LINA, material from government, academic and popular publications, and information provided directly by vulnerable consumers and their advocates regarding the impact of the utilities' proposals for rate design on vulnerable customers.	<p>Testimony and Reply Testimony of Henry J. Contreras, accepted into the record at hearing as Exhibits CforAT-101 and CforAT-102.</p> <p>See also CforAT's Opening Brief addressing affordability concerns, drawing on information from our testimony, at 22-50.</p> <p>Among other portions of the Final Decision that reflect CforAT's input on affordability, CforAT's briefing and testimony are expressly cited regarding affordability and related concerns at 72, 106, 117, 133, 161, 234, 266, and 305.</p>	<p>Verified.</p> <p>However, a decision acknowledging the position of an intervenor is not indicative, on its own, of the intervenor's substantial contribution to the proceeding.</p>
At hearing, CforAT examined utility witnesses regarding the impacts of the utilities' proposals for rate design	Most of CforAT's examination of witnesses addressed the concerns of vulnerable customers and the impact of the utilities' rate proposals on vulnerable	Verified.

<p>on vulnerable customers and the way in which the proposals would affect affordability.</p>	<p>customers. <i>See, e.g.:</i></p> <ul style="list-style-type: none"> • 12 RT at 1327-1363, recording CforAT's cross examination of PG&E's witness on affordability, Philip Quadrini • 20 RT at 2940-2973, recording CforAT's cross examination of SCE's witness on affordability, Andre Ramirez • 15 RT at 1854-1881, recording CforAT's cross examination of SDG&E's witness Cynthia Fang. No SDG&E witness was specifically identified to address affordability, but Ms. Fang addressed issues concerning energy burden. 	
<p>In briefing, CforAT set forth the most comprehensive summary of the impacts that the IOU proposals would have on the public and the public's concern about the proposals. This includes CforAT's work to ensure that information submitted to the Commission from the public was given consideration by policymakers. CforAT defended the inclusion of such information in the record of the proceeding when the utilities attempted to have it</p>	<p>See CforAT's Opening Brief at 31- 50.</p> <p>SCE moved to strike all of this material from CforAT's Brief, and argued that public input should not be given any consideration by the Commission; CforAT successfully defended the inclusion of this information in the record. <i>See</i> SCE Motion to Strike, filed on 1/23/15; CforAT's Response to SCE's Motion to Strike, filed on 2/9/15, and various related documents in the record.</p> <p>The Final Decision sets out a review of public participation in some detail at 23-25; <i>see</i> also Final Decision at 31 (citing CforAT's</p>	<p>Verified.</p> <p>The Commission regularly receives public input and incorporates the findings from Public Participation Hearings into decisions, therefore CforAT's contribution in this area was of limited value to the Commission's decision.</p>

stricken.	argument to include letters and emails filed with the Public Advisor's office).	
While CforAT did not take a position on default TOU except to support a joint proposal by multiple parties in support of default pilot programs, CforAT did express the need for a review which allowed for the possibility of an "off-ramp" before instituting default, if appropriate based on the information learned prior to 2019. CforAT also provided evidence on how vulnerable customers may not be able to shift their usage, necessitating greater protection.	<p><i>See</i> e.g. CforAT's Comments on Proposed Decision (PD) at 21-22.</p> <p>The PD was modified to allow greater discretion in reviewing proposals for default Time of Use (TOU) in the eventual RDW filings. While not characterized as an "off-ramp," the revised language shows that greater deliberation on the appropriateness of default TOU will be permitted than was contemplated in the initial PD. <i>See</i> e.g. PD at 158 (directing IOUs that "default TOU rates should begin in 2019") with Final Decision at 172 ("default TOU rates should begin in 2019 (if the findings required by Section 745(d) can be made by that time)"). <i>See</i> also Final Decision at 130-134, addressing the need to consider various customer segments before instituting default TOU, and expressly citing CforAT's input on vulnerable customers at 133.</p>	<p>Verified.</p> <p>CforAT's alleged contributions on this issue did not assist the Commission's decisionmaking process. The modifications to the Proposed Decision did not result from CforAT's efforts.</p> <p>Because of the lack of substantial contribution on this issue, the Commission disallows 25% of CforAT's hours claimed regarding "Rate Design."</p>
CforAT raised concerns about a potential revenue shortfall from customers moving to TOU, particularly since bill protection will ensure that every TOU customer pays	<p><i>See</i> CforAT's Opening Brief at 75.</p> <p>The Final Decision recognizes the concern and expressly cites CforAT in characterizing it. Final Decision at 158-162, determining that any shortfall resulting from TOU must be collected from the</p>	Verified.

the same or less than they would have paid on tiered rates, and advocated additional review of this issue. In the meantime, CforAT argued that any shortfall should be collected from all residential customers	entire residential class.	
For tiered rates, CforAT supported more tiers, greater tier differentials, and higher baseline allocations as mechanisms to ensure that essential supplies of electricity are affordable to vulnerable customers.	<p>See CforAT's Opening Brief at pp. 22-60; see also CforAT's comments and reply comments on the PD and the Alternate.</p> <p>In response to CforAT's input, along with the input of other intervenors seeking similar outcomes, the Final Decision moves toward higher differentials and more tiers (counting the SUE as a "super-tier" of sorts) than initially advanced in the PD.</p> <p>Additionally, the Final Decision accepts CforAT's argument that baseline allocations are the best existing proxy for the amount of energy sufficient to meet basic needs of a household, and uses this to set baseline allocations. Final Decision at 117-118, citing CforAT's Opening Brief.</p>	<p>Verified.</p> <p>As noted by CforAT, many parties advocated similar outcomes.</p>
CforAT opposed adoption of fixed charges as a rate element that would negatively affect affordability of essential supplies of electricity for vulnerable customers.	<p>CforAT Opening Brief at 55-60.</p> <p>The Final Decision addresses fixed charges at length, declines to adopt them at this time, and sets forth a process for building a record to address the question of whether to include fixed charges</p>	<p>Verified.</p> <p>The Commission notes that other intervenors, including both Vote</p>

<p>CforAT also addresses at length the fact that residential customers dislike fixed charges. CforAT supported minimum bills as an alternative to ensure that every customer supports the grid.</p>	<p>in residential rates in a future proceeding.</p> <p>As part of this discussion, the Final Decision specifically agrees with CforAT that “it is beyond dispute that the record in this proceeding shows substantial customer hostility to fixed charges on residential bills,” though it disagrees with CforAT’s argument that such hostility cannot be cured with customer education. Final Decision at 226.</p>	<p>Solar and Sierra Club, opposed the adoption of fixed charges (for varying reasons).</p>
<p>CforAT addressed the impact of the utilities’ proposals on CARE, FERA and Medical Baseline customers, recommending various protections to ensure that any changes to rate design would not result in a situation in which these vulnerable customer segments could not afford essential supplies of electricity.</p>	<p>See CforAT’s Opening Brief at 60-72.</p> <p>While the Commission did not generally adopt CforAT’s specific recommendations regarding these programs, the analysis of affordability for customers served by CARE, FERA and Medical Baseline reflect CforAT’s concerns about affordability. See Final Decision at 231-250, including citations to CforAT’s input at 234, 246, and 249-50.</p>	<p>Verified.</p>
<p>CforAT was the primary party to address the need for essential supplies of electricity at an affordable rate as a safety issue.</p>	<p>See CforAT’s Opening Brief at 89-93.</p> <p>The Final Decision recognizes CforAT’s input on this issue and references its efforts to address the objective of considering whether rates and policies ensure affordable access to electricity for all IOU customers. Final Decision at 305-307, directly citing CforAT</p>	<p>Verified.</p> <p>The Final Decision additionally recognizes the input of ORA and TURN on this issue. This demonstrates that the parties failed to adequately coordinate on this</p>

	as the primary party to address “the need to ensure customer access to sufficient amounts of electricity to maintain public safety and health.”	issue, which resulted in a duplicative effort. ¹
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B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor’s Assertion	CPUC Discussion
a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?²	Yes	Verified.
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Yes.
c. If so, provide name of other parties: The Greenlining Institute generally held similar positions to CforAT. Additionally, other parties representing consumers held some similar positions, but overall had a different focus. This generally includes the Office of Ratepayer Advocates (ORA) and The Utility Reform Network (TURN). The Utility Consumers’ Action Network (UCAN) is another consumer advocacy organization that was active in this proceeding (primarily focused on the proposals of SDG&E). UCAN and CforAT did not generally hold similar positions, though the organizations did both join in a multi-party proposal concerning time-of-use rates at hearing (along with		Verified.

¹ See Pub. Util. Code §1801.3(f) (stating that intervenor compensation program articles “shall be administered in a manner that avoids unproductive or unnecessary participation that duplicates the participation of similar interests otherwise adequately represented or participation that is not necessary for a fair determination of the proceeding.”); *see also* D.15-05-016.

² The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill 96 (Budget Act of 2013: public resources), which was approved by the Governor on September 26, 2013.

<p>multiple other parties).</p> <p>At various times, CforAT's position on certain issues also overlapped with the positions of various environmental and/or solar parties. However, even where our position was the same, our overall focus was different from the focus of these intervenors.</p> <p>The extent to which CforAT's positions overlapped those of other parties is addressed in greater detail below where we discuss how we avoided duplication of effort.</p>	
<p>d. Intervenor's claim of non-duplication:</p> <p>While multiple parties in this proceeding represented ratepayer interests, CforAT is the only party that actively participated through every stage of litigation with a specific focus on representing the interests of vulnerable consumers, including our direct constituency of IOU customers with disabilities as well as the broader group of low-income customers more generally (people with disabilities are disproportionately likely to be low income, so there is substantial overlap between these groups).</p> <p>The party with the most similar position to CforAT through the course of Phase 1 was the Greenlining Institute. Through the development and comments on party rate proposals (as well as the litigation of Phase 2, which was previously addressed in a separate compensation request), CforAT and Greenlining worked in close collaboration, preparing joint filings, jointly retaining an expert, and otherwise working together to avoid duplication and prepare materials efficiently.</p> <p>As litigation in this phase of the proceeding moved forward, including preparation of testimony, participation at hearing, and subsequent briefing, staffing changes at Greenlining led that intervenor to step back from participation. For those portions of the proceeding, CforAT was the sole direct representative of the interests of vulnerable consumers.</p> <p>Other parties who represented ratepayer interests, including TURN and ORA, considered the needs of vulnerable</p>	<p>Verified.</p> <p>The Commission agrees with CforAT's claim of non-duplication. The Commission notes that minimal avoidable duplication occurred with ORA and TURN regarding the safety issues surrounding affordable energy. The Commission notes that CforAT consistently addressed such concerns. We reduce CforAT's claimed hours in this area (Customer</p>

<p>consumers as part of their broader portfolio to advocate on behalf of residential customers more generally. To the extent possible, CforAT coordinated with these organizations as well. At minimum, CforAT took pains to reach out and understand the priorities and focus of these organizations at each stage so that we did not duplicate efforts. For example, CforAT was aware that TURN was strongly focused on the issue of whether a customer charge should be added to residential customer bills. Because of this focus by TURN, and ORA CforAT directed our focus on other issues and only touched minimally on the argument surrounding proposals to create a customer charge (and where CforAT did participate on this issue, we addressed different aspects of the issue, such as customer opinion, rather than legal analysis, which was addressed in detail by TURN).</p> <p>Finally, various environmental and solar intervenors had preferences for similar outcomes regarding various rate design elements as CforAT, such as the preference to retain higher tier differentials. However, these parties generally relied on different policy concerns in order to reach these positions (for example, CforAT argued for higher tier differentials based on affordability concerns, while the environmental organizations supported higher tier differentials based on the need to send conservation signals to customers). Where our positions overlapped, CforAT worked to coordinate with these other parties to ensure that our different policy arguments in support of the same outcomes harmonized and did not undercut each other.</p>	Impact) by 25%.
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PART III: REASONABLENESS OF REQUESTED General Claim of Reasonableness (§ 1801 and § 1806):

<p>a. Intervenor’s claim of cost reasonableness:</p> <p>Throughout this proceeding, CforAT has sought to ensure that changes to rate design do not harmfully impact the affordability of necessary supplies of electricity for vulnerable IOU customers, including specifically our constituency of customers with disabilities. For low-income customers, including many customers with disabilities, small changes in dollar amounts can have a large impact on affordability. However, customers who rely on CforAT to advocate for their interests before the Commission cannot afford individual representation.</p> <p>While it is difficult to calculate a financial benefit or direct bill savings to individual customers based on CforAT’s participation in this proceeding, the benefits to vulnerable customers of ensuring that their needs are given due consideration is substantial. Overall, CforAT’s efforts in this proceeding resulted in changes to the tiered rate structure that are less harmful to low-income and low-usage customers than the proposals offered by the IOUs. This will result in bill impacts to our constituency that are less extreme than might have been adopted without our participation.</p> <p>Similarly, the adoption of a high-usage surcharge (SUE charge), which was proposed and championed by CforAT, prevents the extreme bill reductions that might otherwise have been seen by the highest-usage customers, and which would have reduced the revenue total received from such customers (creating a shortfall that would have been collected from low and modest usage customers). This one provision alone will likely result in less-extreme bill impacts for our constituency at a magnitude well beyond our costs of participation.</p> <p>On TOU rates, CforAT’s efforts supported a result that will carefully take into consideration the needs of vulnerable</p>	<p>CPUC Discussion</p> <hr/> <p>Verified.</p>
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<p>consumers and the risks that these customers face. This should mitigate potential harms to these customers in any future transition to default TOU.</p> <p>Given the importance of electricity and the impact of changes to residential rate design on CforAT's constituency, our representation of these consumers in a proceeding that has set a course for long-lasting and far-reaching changes in rate design constitutes a broad benefit far that outweighs the costs of CforAT's participation. The Commission should conclude that our overall request is reasonable.</p>	
<p>b. Reasonableness of hours claimed:</p> <p>This proceeding (exclusive of Phase 2, which was the subject of a separate request for compensation and Phase 3, which has been initiated following the adoption of D.15-07-001) has spanned three years, and included 15 days of evidentiary hearings, multiple workshops and all-party meetings, and a voluminous record. It is the most important proceeding to impact the way that residential customers pay for electricity since the energy crisis in 2001. Given the size and scope of the proceeding, and the fact that CforAT was the only party to give primary focus to the impact that the proposed changes in rate design would have on the millions of vulnerable customers of the three major electric utilities in California, the hours spent were reasonable.</p> <p>CforAT was represented by counsel with many years of experience representing the needs of vulnerable customers before the Commission, and CforAT worked in conjunction with other consumer representatives and other intervenors as appropriate. CforAT focused on issues that were not the primary concern of other intervenors, and had reduced involvement on issues where other advocates were more active (for example, CforAT did not participate actively in addressing the legal issues around the proposal to introduce fixed charges, but rather focused on the related issues of customer acceptance</p>	<p>Verified. <i>But see</i> CPUC Disallowances and Adjustments, <i>below</i>.</p>

and impact on vulnerable customers).							
Given the importance of rate design issues and the sweeping reach of this proceeding, the hours spent by CforAT to ensure that issues concerning affordability and the impact of rate design changes on vulnerable customers was reasonable.							
c. Allocation of hours by issue:							
CforAT’s allocation of hours for work by counsel (Melissa W. Kasnitz) as identified by issue is summarized in the chart below:							Verified.
Year	2012	2013	2014	2015	Totals :	%	As discussed, above, the Commission disallows 25% of the claimed hours under the heading “Rate Design.” These hours are disallowed because CforAT did not substantially contribute to the Commission’s decision making process regarding TOU rates.
Affordability	21.0	30.3	48.5	4.3	104.1	15%	
Coordination	10.4	1.0	1.2	0.0	12.6	2%	
Customer Impact	4.5	30.1	0.8	0.0	35.4	5%	
Decision	0.0	0.0	0.0	89.5	89.5	13%	
GP	34.3	14.6	29.1	1.2	79.2	11%	
Hearing/Briefing	0.0	0.0	155.0	79.9	234.9	34%	
Rate Design	22.6	96.5	17.8	0.5	137.4	20%	
Totals:	92.8	172.5	252.4	175.4	693.1	100%	
The identified issues can be characterized as follows:							
Affordability: 104.1 hours (15% of total time):							
Throughout this proceeding, CforAT sought to ensure that low-income and vulnerable customers would be able to afford essential supplies of electricity without being overburdened or jeopardized by their energy bills.							
Coordination: 12.6 hours (2% of total time):							
This issue includes time spent on efforts to coordinate this							

proceeding with other relevant proceedings impacting residential electricity rates

Customer Impact: 35.4 hours (5% of total time):

In addressing affordability, CforAT explored the direct impacts that changes in rate design as proposed by the IOUs would have on low-income and vulnerable customers to ensure that the real-world impacts of the utility proposals would be given consideration by the Commission.

Decision: 89.5 hours (13% of total time):

This issue includes time spent on all work performed following the issuance of the initial Proposed Decision through the adoption of the Final Decision, including a full comment cycle on the PD, a full comment cycle on the Alternate Proposed Decision, multiple all-party and ex parte meetings and other advocacy in support of CforAT's overall position on the merits. It also includes a small number of hours reviewing material requested by the ALJs in advance of the initial proposed decision being issued. As with the work at hearing, described below, CforAT focused on the same substantive issues during the decision process as it did throughout the proceeding overall, including affordability, but it is difficult to segregate out time spent on each issue. To the extent the Commission does not accept this aggregation of time on work regarding the decision process, CforAT requests permission to resubmit the time after making efforts to segregate the various issues addressed.

Hearing/Briefing: 234.9 hours (34% of total time):

This issue includes both procedural matters directly required in preparation for the evidentiary hearing, such as scheduling and cross estimates, as well as substantive work performed in preparation for the hearings, attendance at the hearings, and work on briefing following the conclusion of the hearings. Throughout the hearing and briefing process, CforAT

continued to focus on the same substantive issues, including affordability, as it did in earlier work to develop the record. However, it is difficult to separate out time spent on separate issues at hearing and in briefing. To the extent the Commission does not accept this aggregation of time on hearing/briefing, CforAT requests permission to resubmit the time after making efforts to segregate the various issues addressed.

Rate Design: 137.4 hours (20% of total time):

This issue includes time spent in preparing a rate proposal (in conjunction with Greenlining), time commenting on other party proposals as well as time spent addressing the Energy Division proposal that was adopted into the record of this proceeding. It also includes time spent working with other parties on a proposal to move forward with default TOU pilot programs.

General Participation: 79.2 hours (11% of total time):

This includes time spent on matters of scope and scheduling, reviewing party filings, participating at activities such as Prehearing Conferences, and other matters that are not readily identified by substantive issues on the merits.

Additional Hours:

“Affordability” Time from A.12-02-020: 40.3 hours (not included in allocation percentages):

CforAT is separately seeking compensation for 40.3 hours from 2012 which were allocated as “Affordability” in PG&E’s 2012 RDW proceeding (A.12-02-020). *See* D.15-08-017 at 7, in which the Commission expressly declined to award compensation to CforAT for time allocated to the issue of “Affordability” in that proceeding, and directed CforAT to resubmit such time in this proceeding. In the same decision, D.15-08-017, the Commission ordered compensation for CforAT for time allocated to other issues in A.12-02-020.

<p>Expert Time: Henry J. Contreras (32.65 hours)</p> <p>All time spent by CforAT's expert witness Henry J. Contreras was focused on the issue of Affordability</p> <p>Expert Time: Nicolie Bolster (103.8 hours)</p> <p>All time spent by CforAT's expert witness Nicolie Bolster was focused on the issue of Customer Impact</p>	
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A. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Melissa W. Kasnitz	2012	92.8	\$430	D.13-04-008	\$39,904	63.10 [1]	\$430.00	\$27,133.00
Melissa W. Kasnitz	2012	40.3 (from A.12-02-020)	\$430	D.13-04-008	\$17,329	40.3 SEE D.15-08-017.	\$430.00	\$17,329.00
Melissa W. Kasnitz	2013	172.5	\$440	D.13-11-017	\$75,900	131.34 [2]	\$440.00	57,789.60
Melissa W. Kasnitz	2014	252.4	\$450	D.15-01-047	\$113,580	247.45 [3]	\$450.00	\$111,487.50
Melissa W. Kasnitz	2015	175.4	\$450	ALJ-308 (no COLA for 2015)	\$78,930	175.27	\$450.00	\$78,871.50
Nancy Brockway (Expert)					No time claimed; see comment below			
Nicolie Bolster (Expert)	2013	103.8	\$145	See below	\$15,051	77.85 [4]	\$145.00 See Res. ALJ-287 (approving a	\$11,288.25

							2.0% cost-of- living adjustm ent for 2013).	
Henry Contreras (Expert)	2014	32.65	\$250	D.15-03-013	\$8,162.50	32.65	\$250.00	\$8,162.50
Subtotal: \$ 348,856.50						Subtotal: \$ 312,061.35		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Melissa W. Kasnitz	2015	24.9 (<i>see comment below</i>)	\$225	½ 2015 Rate	\$5,602.50	24.9	\$225.00	\$5,602.50
Nicolie Bolster	2015	1.75	\$122.50	½ 2015 Rate	\$214.38	1.75	\$75.00	\$131.25
Subtotal: \$5,816.88						Subtotal: \$5,733.75		
COSTS								
#	Item	Detail			Amount	Amount [4]		
	Office expense: Postage	See expense spreadsheet, attached			\$92.81	\$92.81		
	Office expense: Print/Copy	See expense spreadsheet, attached, and related comment			\$1,342.00	\$87.00 (Colour Drop) \$502.00 (printing costs)		
	Office expense: Transportation	See expense spreadsheet, attached			\$243.05	\$00.00		
	Expert witness travel: Amtrack, Sacramento/ Richmond Round Trip	Henry Contreras, Travel to Hearing (\$27 each way, receipts attached)			\$54.00	\$00.00		
	Expert witness travel: BART	Henry Contreras, Travel to Hearing from Richmond Hotel			\$16.00	\$00.00		
	Expert witness travel: Hotel	Henry Contreras, one night in advance of hearing, receipt attached			\$161.90	\$00.00		
	Expert witness travel: milage	Henry Conteras, mileage (to Amtrack) @ \$0.56/mile, receipt attached			\$11.20	\$00.00		
	Expert witness	Henry Contreras, receipt attached			\$84.00	\$00.00		

	per diem			
		Expense subtotal:	\$2,004.96	\$681.81
TOTAL REQUEST: \$356,678.34			TOTAL AWARD: \$318,476.91	
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate</p>				
ATTORNEY INFORMATION				
Attorney	Date Admitted to CA BAR ³	Member Number	Actions Affecting Eligibility (Yes/No?) If “Yes”, attach explanation	
Melissa W. Kasnitz	December, 1992	162679	No, but includes periods of inactive status prior to 1997	

B. Intervenor's Comments on Part III:

Comment #	Intervenor's Comments
Comment (general)	CforAT made diligent efforts to ensure that time entries for work on Phase 2 were not included in these records. CforAT previously sought compensation for work on Phase 2, and was awarded compensation in D.15-03-013.
Comment (Time from A.12-02-020)	See D.15-08-017 at p.7 for authorization to include "Affordability" time from A.12-02-020 in this compensation request ("the Commission will not compensate CforAT in this proceeding for the 40.3 hours claimed under "Affordability" as these hours should be claimed in R.12-06-013").

3 This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Comment (Rate for Nicolie Bolster of DREDF)	The Commission approved a 2012 rate of \$140 per hour in D.15-04-017. In this proceeding, CforAT seeks compensation for work performed by Ms. Bolster in 2013. The Commission applied a COLA of 2.2% for 2013 rates in Resolution ALJ-287, issued on April 18, 2013. Applying the COLA to Ms. Bolster's approved 2012 rate generates an appropriate rate of \$145 per hour for 2013.
Comment (compensation for work by Nancy Brockway)	In the early stages of this proceeding, CforAT and the Greenlining Institute jointly engaged expert Nancy Brockway. Pursuant to an agreement between Ms. Brockway, CforAT and Greenlining, all expert time and billing was directed to Greenlining. In order to avoid confusion, all information regarding Ms. Brockway's work is thus being submitted with Greenlining's compensation request, which CforAT expects to be filed concurrent with this request.
Comment (CforAT Copy/Print expenses)	Except for one noted copy/print expense for preparation of exhibits for hearing, for which a receipt is provided, CforAT's copy/print expenses stem from use of a printer at the offices of DREDF, which are located in the same building (the Ed Roberts Campus, a designated hub for nonprofit organizations serving the needs of people with disabilities). As a small organization, CforAT does not have printers that can easily handle large jobs of the sort that were required at times for effective participation in this proceeding. CforAT's printers are sufficient for small jobs and day-to-day production of hard copies, and such costs are absorbed in CforAT's overhead. However, when larger print jobs are required, CforAT has entered into an agreement with DREDF for use of its printer, which can handle such work. DREDF charges CforAT \$0.25 per page for such print jobs, which is the rate it receives for reimbursement in litigation. CforAT is aware that the Commission generally reimburses print costs at \$0.10 per page. However, the ability to print large jobs (selectively) from a location across the hall continues to make DREDF the best option for CforAT. CforAT respectfully requests that the Commission approve its requested rate of \$0.25 per page, as recorded.

Comment (Time spent on Compensation Issues)	CforAT is requesting compensation for almost 25 hours of time spent on this compensation request. While this is more time than CforAT usually includes in requests for compensation, it still represents a significant reduction in the number of hours actually required to review records as required to provide relevant information in support of our claim for a proceeding spanning three years and involving numerous filings, issues and parties. CforAT respectfully requests that staff reviewing this request consider the time required of them to conduct an adequate review, and then consider the additional complexities required to record and develop the information under consideration.
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CPUC Disallowances and Adjustments:

Item	Reason
[1]	<p>For duplication related to Customer Impact, the Commission disallows 25% of the claimed hours in this area. The Commission removed the following hours from Kasnitz's award: 1.13 hours from 2012; 7.53 hours from 2013; and 0.2 hours from 2014.</p> <p>For the lack of substantial contribution related to Rate Design, the Commission disallows 25% of the claimed hours in this area. The Commission removed the following hours from Kasnitz's award: 5.65 hours from 2012; 24.13 hours from 2013; 4.45 from 2014; and 0.13 hours from 2015.</p> <p>In 2012, Kasnitz spent approximately 10 hours drafting filings to be submitted as part of the record of the proceeding. Most of the other submitted time was spent reviewing documents and reports, making phone calls, and emailing. While the Commission requests coordination between intervenors, the claimed hours are excessive in light of CforAT's contributions. The Commission reduces Kasnitz's 2012 claim by 25%.</p>

[2]	<p>Kasnitz's timesheets note an ex parte meeting occurred on March 13, 2013. CforAT did not file an ex parte notice for the meeting and the Commission will not compensate intervenor for the hours.</p> <p>In 2013, Kasnitz spent approximately 80 hours drafting filings and working on substantive material to be included in the record of the proceeding. Most of the other submitted time was spent reviewing documents and reports, making phone calls, and emailing. While the Commission requests coordination between intervenors, the claimed hours are excessive in light of CforAT's contributions. The Commission reduces Kasnitz's 2013 claim by 5%.</p>
[3]	<p>The Commission notes CforAT took a more active role in the proceeding in 2014 and 2015 and no reduction is warranted.</p>
[4]	<p>The Commission removed 25% of all hours claimed by Bolster as such work was duplicative.</p>
[5]	<p>The Commission notes that bulk printing rates are available for less than the cost quoted by CforAT. CforAT paid 25 cents per page. Many options are available for printing at 10 cents per page. As such, CforAT's printing and photocopying costs have been reduced to reflect current and reasonable pricing.</p> <p>In addition, the Commission does not compensate for routine travel. <i>See e.g.</i>, D.10-11-032 and D.09-12-040. The Commission defines routine travel as any travel under 90 miles. Contreras' travel from Sacramento is routine. In addition, CforAT's travel on BART is routine. The Commission disallows compensation for this request. Similarly, the Commission will not reimburse CforAT for Contreras' hotel, which was unnecessary in light of the routine travel. The Commission does not compensate for meals nor will we compensate for per diem expenses. <i>See</i> D.10-03-020.</p>

PART IV: OPPOSITIONS AND COMMENTS

**Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (*see* § 1804(c))**

A. Opposition: Did any party oppose the Claim?	No.
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes.

FINDINGS OF FACT

1. Center for Accessible Technology has made a substantial contribution to D.15-07-001.
2. The requested hourly rates for Center for Accessible Technology's representatives are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$318,476.91.

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Center for Accessible Technology shall be awarded \$318,476.91.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company shall pay Center for Accessible Technology their respective shares of the award, based on their California-jurisdictional electric revenues for the 2014 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include

compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning November 23, 2015, the 75th day after the filing of Center for Accessible Technology's request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This order is effective today.

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	
Contribution Decision(s):	D1507001		
Proceeding(s):	R1206013		
Author:	ALJ Halligan		
Payer(s):	Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas and Electric		

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Center for Accessible Technology (CforAT)	09/09/14	\$356,678.34	\$318,476.91	N/A	See CPUC Disallowances and Adjustments, above.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Melissa	Kasnitz	Attorney	Center for Accessible Technology	\$430	2012	\$430.00
Melissa	Kasnitz	Attorney	Center for Accessible Technology	\$440	2013	\$440.00
Melissa	Kasnitz	Attorney	Center for Accessible Technology	\$440	2014	\$450.00
Melissa	Kasnitz	Attorney	Center for Accessible Technology	\$440	2015	\$450.00

PROPOSED DECISION

Henry	Contreras	Expert	Center for Accessible Technology	\$250.00	2014	\$250.00
Nicolie	Bolser	Expert	Center for Accessible Technology	\$145.00	2013	\$145.00
Nicolie	Bolser	Expert	Center for Accessible Technology	\$250.00	2015	\$150.00

(END OF APPENDIX)